

STATE BOARD MEETING DATE

August 27, 2007

SUBJECT: Consideration of Review Case # C-2006-044R, Rhonda Payne

SUBMITTED BY: Charles Easaw, Chief Investigator, Investigative Unit, State Board of Education

MANAGEMENT TEAM REVIEW: August 9, 2007

BACKGROUND INFORMATION:

Rhonda Payne applied for a Learning Disability Special Education teaching certificate on February 27, 2006. On her application for certification, Ms. Payne answered “yes” to the question pertaining to having received a reprimand or disciplinary action involving a professional certification or license. In her statement, Ms. Payne disclosed that in 1992 she was convicted of an Alcohol/Drunk in Public charge, and one count of Possession of Cocaine Paraphernalia.

Ms. Payne was contacted by the Investigative Unit because she did not include details of the circumstances that led to her arrest, and did not provide a statement regarding action taking against her professional certificate in Pennsylvania.

On her application, Ms. Payne answered “no” to the question of ever having been arrested for an offense for which she was fingerprinted. In an additional statement, she wrote that when she checked the answer “no” to the arrest/fingerprint question on the application, it was a mistake. She continued that she never intended to misinform.

On June 24, 2002, she was denied a teaching certificate by the Pennsylvania Department of Education due to her failure to disclose a conviction for possession of cocaine paraphernalia. On the Pennsylvania application, she answered “no” to the question of having been convicted of a crime classified as a misdemeanor or felony. On February 2, 2004, in Pennsylvania, she applied for a different certificate and was approved.

On February 14, 2007, the Professional Practices Advisory Committee (the PPAC) conducted a review of Ms. Payne’s application. The PPAC found that Ms. Payne’s conduct constituted immoral and unprofessional conduct. The PPAC unanimously recommends that the Board deny Rhonda Payne’s application for certificate renewal, based on the following:

Aggravating factors:

- On two separate occasions, Ms. Payne failed to disclose prior criminal conduct on professional certification applications
- Admission of a teacher contract break in Pennsylvania
- Admission to abusing substances while employed as a teacher in Pennsylvania

Mitigating factors:

- The applicant has gone through the process to address her addiction to substances
- By her own avowal she has remained free from substance abuse for the last thirteen years
- Letters of recommendation submitted on her behalf

**BOARD ACTION REQUESTED: [] INFORMATION [X] ACTION/DESCRIBED
BELOW:**

That the Board accept the findings of facts, conclusions of law, and recommendation of the PPAC and deny Ms. Payne's application for certification for the reason that she engaged in unprofessional conduct.

ATTACHMENTS: YES [X] NO []